



DICELLO LEVITT

485 LEXINGTON AVENUE SUITE 1001 NEW YORK, NEW YORK 10017

GREG G. GUTZLER  
GGUTZLER@DICELLOLEVITT.COM  
646.933.1000

September 6, 2023

**VIA ECF**

The Honorable Colleen McMahon  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 24A  
New York, NY 10007

**Re: *Star Colbert et al v. Dougan et al.*, 23 Civ. 7297 (CM)(SLC)**  
**(rel. *Stevenson v. Thornburgh*, 23 Civ. 4448 (CM)(SLC))**

Dear Judge McMahon:

We represent the plaintiffs in *Star Colbert v. Dougan*, 23 Civ. 7297 (CM), which is brought on behalf of holders of Credit Suisse's AT1 bonds and is one of the cases designated as related to *Stevenson v. Thornburgh*, 23 Civ. 4813 (CM).

Plaintiffs filed the First Amended Class Action Complaint ("FAC") on August 25, 2023. In advance of tomorrow's conference in these six related cases, we have conferred with counsel for the defendants at the Cahill firm.<sup>1</sup> Counsel advised that they anticipate moving to dismiss the FAC on various grounds including, *inter alia*, failure to state a claim, *forum non conveniens*, statute of limitations, and lack of personal jurisdiction as to certain defendants, and that certain of these arguments may be supported with submissions by a Swiss law expert. Together with defense counsel, we write respectfully to propose the following briefing schedule for defendants' anticipated motion to dismiss:

- Opening papers due on October 13, 2023;
- Opposition papers due on November 17, 2023;

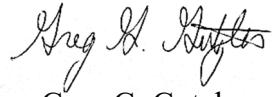
---

<sup>1</sup> Counsel advised that they expect to be able to accept service of the FAC on behalf of all or nearly all of the named defendants such that most or all of the defendants will join the motion to dismiss.

- Reply papers due on December 4, 2023.

We thank the Court for considering this proposed schedule, and we would be glad to answer any questions that the Court may have in this regard at tomorrow's conference.

Respectfully,



Greg G. Gutzler

cc: Jason M. Hall, Esq. ([via e-mail](#): JHall@Cahill.com)  
Cahill Gordon & Reindel LLP